REMARKS

Claims 1 through 7 stand rejected under 35 U.S.C. § 102(b) as being anticipated by *Gold*, U.S. Patent No. 64,662. Claims 1, 2 and 4 stand rejected under 35 U.S.C. 102(b) as being anticipated by *Norris*, U.S. Patent No. 172,277.

Claim 1 is amended to indicate that the generally flat plane of the Applicant's wrench is characterized by an entirely flat top surface and an entirely flat bottom surface, and that the apertures extend through the entirely flat top surface and the entirely flat bottom surface. The feature is not found in either *Gold* or *Norris.* The *Gold* device is a relatively cumbersome tool that incorporates a hammer and a screwdriver, in addition to multiple apertures for receiving fasteners. As can be seen from the drawing figures, the entire top surface of the tool is not flat. The goal with the present invention is to provide a device that is conveniently stored, and which will still remove sewer cleanout caps. The structure of the present invention allows it to be easily stored, by having flat surfaces.

Claim 2 is canceled hereby.

Claims 3 through 7 are allowable as, *inter alia*, depending from an allowable base claim.

Claim 8 is added hereby, and depends from Claim 1. Claim 8 requires that the generally flat plane have *exactly four* square apertures formed therein. Both the *Gold* device and the *Norris* device have more than four apertures formed therein. Presenting four apertures meets the goal of the invention of creating a device that is easily stored due to size.

Newly added Claim 9 depends from Claim 8, and requires that the four square apertures have specific sizes as more fully set forth in Claim 9. The four sizes correspond to the four most common sizes of protrusions for cleanout caps.

Newly added Claim 10 depends from Claim 6. Claim 6 requires that the perimeter of the wrench is substantially trapezoidal. A trapezoid, by definition, is "a quadrilateral having only two sides parallel." *Merriam-Webster Online* (www.m-w.com). Claim 10 requires that each of the four square apertures have two sides that are generally parallel to the two generally parallel sides of the trapezoidal plane.

While *Gold* describes a wrench that may be considered somewhat trapezoidal in shape, the apertures are not arranged so that the sides are generally parallel to the parallel sides of the trapezoid. By arranging the

apertures in the present invention so that two of the sides of the square apertures are parallel to the parallel sides of the trapezoid, the overall size of the device is reduced as compared to *Gold*, again meeting the goal of the invention of providing a device that is easy to store, and is compact. *Norris* does not teach a device that is trapezoidal in shape.

Newly added independent Claim 11 requires that the plane which forms the wrench is generally trapezoidal in shape.

Newly added Claim 12 depends from Claim 11, and requires that the generally trapezoidal plane have an entirely flat top surface and an entirely flat bottom surface. Claim 12 is allowable for the reasons, *inter alia*, that Claim 1 is allowable over the prior art of record.

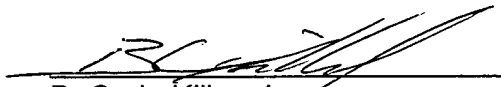
Newly added Claim 13 depends from Claim 11, and requires that the generally trapezoidal plane have exactly four square apertures formed therein.

Newly added dependent Claim 14 depends from Claim 13, and requires that the exactly four square apertures have specific dimensions as set forth therein.

Claims 13 and 14 are allowable for the reasons set forth in the discussion of Claims 8 and 9 above.

It is respectfully submitted that Claim 1 and Claims 3-14 of the within Application are in condition for allowance. Review and allowance at the earliest possible date is requested.

Respectfully submitted,



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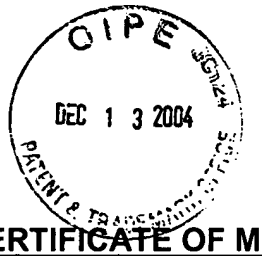

Examiner: David B.

Art Unit: 3723

CERTIFICATE OF MAILING

I hereby certify that this Response to Office Action and Post Card are being deposited with the United States Postal Service, with sufficient postage attached thereto, in an envelope addressed to: Mail Stop Amendment, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 9th day of December, 2004.

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